REMARKS

In the Office Action mailed on June 3, 2003, claims 1, 5, and 9 were rejected under 35 U.S.C. § 102(b) as being anticipated by Nishiyama et al. (U.S. Patent No. 5,519,630) ("Nishiyama"). The foregoing rejections are respectfully traversed.

Claims 1, 5, and 9 are pending in the subject application, all of which are independent claims.

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Entry of Amendment After Final Rejection:

The Applicant respectfully asserts that the amendments presented herein require only a cursory review by the Examiner, and respectfully requests that the Examiner enter such amendments.

Amendments to the Claims:

Claims 1 and 5 are amended herein to recite "lower rank" instead of "predetermined rank," and claim 9 is amended herein to recite "lower rank" instead of "specified rank." Care has been exercised to avoid the introduction of new matter.

Support for the amendments to claims 1, 5, and 9 may be found in Figures 7A-B and in the related portions of the Specification.

Rejections of the Claims:

In the Examiner's Remarks on page 3 of the Office Action, the Examiner states that Nishiyama teaches that each circuit element of design objects (in a hierarchical layout design) has information relating to the one-rank-lower circuit element or design object. The Examiner further states that accordingly, when an upper-rank element is selected, it is possible to retrieve all lower-rank elements forming such an upper-rank element with the use of such rank information, citing col. 21, lines 18-29 of Nishiyama. The Examiner continues by stating that because information of all lower-rank elements are retrieved to form upper-rank elements, the upper-rank element is formed or obtained after the retrieving of all lower-rank elements (first design data) or after obtaining the first design data.

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Claims 1 and 5 (as amended herein) recite obtaining design data of an upper rank after obtaining design data of a lower rank, and claim 9 (as amended herein) recites retrieving wiring data of an upper rank after retrieving design data of a lower rank.

Nishiyama only discusses selecting a lower rank at the same tame as when an upper rank is selected. For example, in Figure 23a of Nishiyama, "when the circuit element A is selected, it means that there are also selected the lower-rank circuit elements B, C, D, E, F which form the circuit element A" (Nishiyama, col. 20, lines 61-64). Clearly, circuit element A in Nishiyama at best corresponds to an upper rank, and circuit elements B-F at best correspond to lower ranks. However, Nishiyama only discusses selecting upper rank A, at which point lower ranks B-F are automatically selected. In contrast, in the claimed invention, design data of a lower rank is obtained/retrieved first, and then design/wiring data of an upper rank is subsequently obtained/retrieved. Clearly, Nishiyama does not disclose or suggest the same. Therefore, claims 1, 5, and 9 of the subject application are patentably distinguishable over Nishiyama.

Withdrawal of the foregoing rejections is respectfully requested.

There being no further objections or rejections, it is submitted that the application is in condition for allowance, which action is courteously requested. Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters. If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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By: _____

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